THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.8663 of 2004

Dated:02.11.2006

Between
R.Poshetty

.....Petitioner

and

1.The Deputy Registrar of Coop Societies
Divisional Cooperative Officer, Secunderabad
And others.

...Respondents

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W.P.No.8663 of 2004

ORDER:

This writ petiton is filed seeking a writ of Certiorari to call for the records relating to the impugned proceedings in E.P.No.420/2000A, dated 24.3.2004 and to quash the same as illegal and arbitrary.

It appears that the petitioner obtained a loan of Rs.5,000/- in 1989, thereafter, he did not pay any installment. That on 16.2.2004 i.e, after 14 years, he received a notice from the 1st respondent stating that he is liable to pay an amount of Rs.1,04,844/-, against the loan obtained by him.

It is the case of the petitioner that before passing the award, he was not issued any notice or intimation as to the loan account and payment of

dues. According to respondents, the award was passed on 16.2.1994, thereafter, the impugned execution proceedings attaching the salary of the petitioner were passed.

While admitting the writ petition, no interim order was granted by this. Court. Therefore, it seems that respondents are collecting the amounts at the rate of 2,000/- per month from the salary of the petitioner .

Be that as it may, since the petitioner complains that the award dated 16.2.1994 was not communicated to him, he is directed to file an application seeking certified copy of the award dated 16.2.1994. On filing such an application the respondents shall furnish a copy of the same. If he is aggrieved by the said order, he is at liberty to file an appeal before the appellate authority under Section 76 of the AP Co-operative Societies Act, 1964. On filing such an appeal, the appellate authority shall entertain the same as per law and dispose of the same, within a period of three months thereafter.

With the above direction, the writ petition is disposed of. No costs.

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02-11-2006

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